

7/25/05 33653

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donie Stover)
Application No. 10/053,450) Group: 3635
Filing Date: 1/17/02) Examiner: S. Varner
Confirmation No. 3552
Title: METAL STUD BUILDING)
SYSTEM AND METHOD)

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS
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DATE

2/17/05

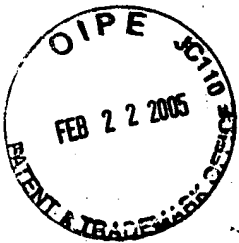
Maria Guzman
SIGNATURE

STATUS INQUIRY

What is the status of the above identified application? This
application was filed on January 27, 2002, more than three years
ago. The issue fee was mailed to the Patent Office on October 1,
2004. A copy of the transmittal is enclosed. A response to the
Office Action of October 22, 2004 was mailed to the Patent Office
on November 5, 2004. A copy of the return postcard verifying
receipt in the Patent Office on November 8, 2004 is enclosed.
Applicant respectfully requests issuance of the patent.

Respectfully Submitted,

LaValle D. Ptak
Law Office of LaValle Ptak
28435 N. 42nd Street
Cave Creek, Arizona 85331
(480)419-9019



Received in the Office of Patents and Trademarks
the following, on the following date

1. Response to Office Action

2. Return postcard

Applicant: Stover (5100.21)
S/N: 10/053,450 FD: 1/17/02

LDP/gg 11/4/04





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Donie Stover)
Art Unit: 3635)
Serial No.: 10/053,450)
Examiner: S. Varner)
File Date : 1/17/02)
Confirmation No.3552)
For : METAL STUD BUILDING SYSTEM)
AND METHOD)

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS
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ON 11/5/04

Date of Deposit

Glenn Gueymarker
SIGNATURE

AMENDMENT

In response to the Office Action of October 22, 2004, please
amend the above identified application as follows:

Amendments to the specification begin on Page 2 of this paper.

Remarks begin on Page 3 of this paper.

AMENDMENTS TO THE SPECIFICATION

Change the Brief Description of the Drawings found on Page 8,
Lines 6-21 to read as follows:

--- Figure 1 is a front perspective view of a portion of a
preferred embodiment of the invention;

Figure 2 is a front perspective view of another portion of a
preferred embodiment of the invention;

Figure 3 is a top perspective view of an element used in
conjunction with the preferred embodiment of the invention;

Figure 4 is a partial cross-sectional side view of a wall
structure employing a preferred embodiment of the invention;

Figure 5 is a partial front perspective view of a structure of
a preferred embodiment of the invention illustrating details
thereof; and

Figure 6 is a cross-sectional configuration of an alternative
use of a preferred embodiment of the invention, illustrating other
features of the invention; and

Figure 7 is an enlarged detail of the circle portion
designated as "7" in Figure 6. --

REMARKS

The Brief Description of the Drawings has been amended to include a reference to Figure 7. The Notice of Drawing Inconsistencies also stated that Figure 6 was not contained in the drawings. Applicant respectfully submits that both Figures 6 and 7 were contained in the drawings; and a copy of Page 5 of the original drawings, which shows both of these figures, is enclosed herewith as Exhibit 1, with the figure numbers highlighted. The Examiner will note that Figure 6 appears on the right-hand side of this page; and Figure 7 appears on the left-hand side of the page.

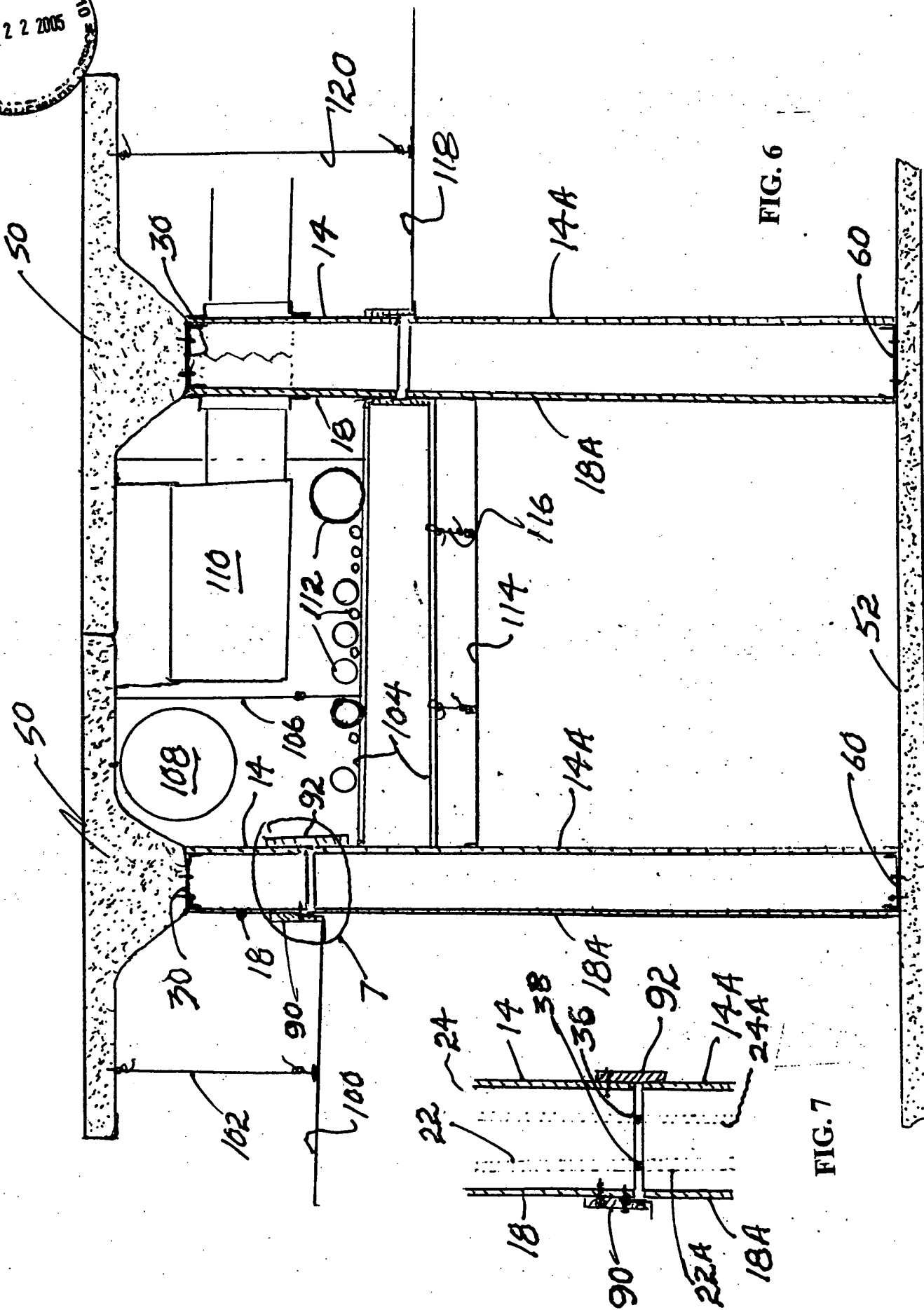
Applicant respectfully submits that there now is consistency between the specification and the drawings, and that this application now is in proper form for issuance as a patent.

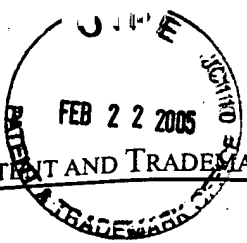
Respectfully submitted,



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28435 N. 42nd Street
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Date: 11/5/04





UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
79031450	01/17/2002	Donie Stover	5100.21	3552
EXAMINER				
VARNER, STEVE M				
ART UNIT		PAPER NUMBER		
3635				

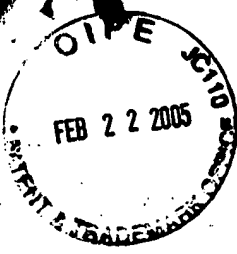
7590 10/22/2004
LaValle D. Plak
28435 N. 42nd St., Ste. B
Cave Creek, AZ 85331

11/22/04

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

BEST AVAILABLE COPY



10/053,450



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

The drawings filed 1/17/02 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figures 6 are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figures 7 are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS, whichever is longer**, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b)**

Failure to correct the above noted inconsistency will result in abandonment of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

Return Corrected Drawings/Specification to:

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450

Alexandria, VA 22313-1450

Office of Patent Publication/Publishing Division
Customer Service: 703-308-6789
1-888-786-0101

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with

applicable fee(s), to: Mail

Mail Stop ISS FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

8/17/2004

LaValle D. Ptak
Ste. B
28435 N. 42nd St.
Cave Creek, AZ 85331

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (703) 746-4000, on the date indicated below.

Gloria Gruetzmacher	(Depositor's name)
<i>Gloria Gruetzmacher</i>	(Signature)
10/1/04	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/053,450 1/17/2002 Donie Stover 5100.21 3552

TITLE OF INVENTION:

METAL STUD BUILDING SYSTEM AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	yes	685.	-0-	685.	11/17/2004
EXAMINER	ART UNIT	CLASS-SUBCLASS			

Steve M. Varner

3635

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 LaValle D. Ptak

2

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☒ Advance Order - # of Copies 10

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date

Typed or printed name

Registration No.

LaValle D. Ptak

19,877

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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